



**STATE OF NEVADA
COMMISSION ON ETHICS**

<http://ethics.nv.gov>

**Friday, December 22, 2006
8:45 a.m.**

**Nevada Commission on Ethics
3476 Executive Pointe Way, Suite 10
Carson City, Nevada 89706**

and, via telephone conference call:

**Nevada Commission on Ethics
2030 E. Flamingo Road, Suite 125
Las Vegas, Nevada 89119**

MINUTES

These minutes constitute a summary of the above proceedings of the Nevada Commission on Ethics.
A verbatim transcript of the open session proceedings, prepared by a certified court reporter,
is available for inspection at the Commission offices.

**Commission Members and Staff Present (by phone in Northern Nevada):
Caren Jenkins, Esq., Chairman; Rick Hsu, Esq., George Keele, Esq.;
Jim Kosinski, Esq.; L. Patrick Hearn, Executive Director;
Adriana G. Fralick, Esq., General Counsel;
Emily H. Nunez, Office Manager**

**Commission Members and Staff Present (by phone in Southern Nevada):
Mark Hutchison, Esq., Vice Chairman; Randall Capurro;
Timothy Cashman; William Flangas, P.E.;
Matt C. DiOrio, Senior Investigator;
Tami DeVries, Research Analyst**

**Also present were:
Sandra Tiffany, Nevada State Senator
John Arrascada, Esq., Counsel for Sandra Tiffany
Members of the Media**

Chairman Jenkins called the meeting to order at 8:50 a.m., Friday, December 22, 2006.

Agenda Item 1 – Closed Session

Closed session pursuant to NRS 281.511(13) to receive and deliberate information or evidence concerning the propriety of the conduct of public officers pursuant to NRS 281.511 and NAC 281.109.

Agenda Item 2 – Open Session regarding Request for Opinion No. 05-21

Chairman Jenkins opened this agenda item, an open session to take action on proposed stipulation in the matter of the Request for Opinion regarding the conduct of Sandra Tiffany, Nevada State Senator.

Pat Hearn read into the record the terms of a stipulated agreement being proposed for the Commission's consideration to settle any and all claims, allegations and charges by the Nevada Commission on Ethics against Sandra Tiffany.

The actions of Senator Tiffany constituted a willful violation of NRS 281.481(2), and a second willful violation of NRS 281.481(8)(a), in that she knew or reasonably should have known that her conduct violated these provisions. Senator Tiffany and the Nevada Commission on Ethics agreed that she will pay the sum of \$10,000, \$5,000 for each of the two willful violations, in order to settle this matter. Senator Tiffany agreed to pay said amount within 90 days of the date the stipulation is signed by the Chairperson of the NCOE.

Commissioner Keele moved for approval of the settlement agreement as read into the record by Executive Director Hearn. Commissioner Kosinski seconded the motion. Chairman Jenkins noted for the record that Commissioners Rick Hsu and William Flangas were part of the panel determination in this Request for Opinion and are excluded from voting on this matter, and that participating in this hearing are: Commissioners Capurro, Cashman, Keele, Kosinski, and Chairman Jenkins. The motion was then put to a vote and passed unanimously.

The stipulation in its entirety may be found on the Commission web site located at <http://ethics.nv.gov>.

Agenda Item 3 – Open session regarding evaluation of the Executive Director

Chairman Jenkins opened this agenda item for discussion and possible action regarding evaluation and job performance of the executive director.

Chairman Jenkins advised that Commissioner Kosinski would be the new Chairman in January, and since the Commission is responsible for the hiring, firing and evaluation of the executive director, that it may be time for the Commission to arrange for periodic evaluation by a subcommittee. Following discussions about the subcommittee, Commissioner Keele moved that Randy Capurro be appointed the third member of the committee and that Chairman Jenkins, and Commissioner Kosinski, Chairman elect, form the other two members of the three-person committee to evaluate the performance of Executive Director Hearn and to report back to the

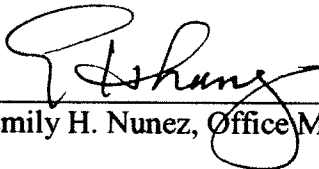
Commission as a whole at the next meeting. Commissioner Cashman seconded the motion. The motion was put to a vote and passed unanimously.

Agenda Item 4 – Open session for public comment.

Chairman Jenkins opened this item for public comment. No public comment was made, and this agenda item was closed.

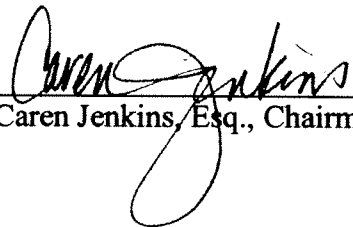
Chairman Jenkins adjourned the meeting at 11:28 a.m.

Minutes transcribed by:



Emily H. Nunez, Office Manager

Minutes approved January 24, 2007



Caren Jenkins, Esq., Chairman